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LETTER DATED 28 JUNE 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 28 June 1991 from Mr. Ahmed Hussein, Minister for Foreign Affairs of the Republic of Iraq, in reply to the message of the President of the Security Council of 27 June 1991.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

Annex

Letter dated 28 June 1991 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

Our Permanent Representative to the United Nations has transmitted to us the message given to him by the President of the Security Council on the morning of 27 June 1991 with the request that he transmit it to the Government of Iraq. I have the honour to convey to you our reply to the Security Council message.

1. Iraq is in compliance with Security Council resolution 687 (1991), and the indications to that effect are clear and well established. Of those indications we may mention, by way of example, Iraq's cooperation with the Inspection Team that previously came to Iraq and inspected more than 10 sites relating to the nuclear aspect. We refer you to the statement of the Executive Chairman of the Special Commission and the Director-General of the International Atomic Energy Agency in this connection.

With regard to the incident to which reference is made in document S/22739, we should like to inform you as follows:

The Inspection Team headed by Mr. Zifferero arrived on the afternoon of Saturday, 22 June 1991, which was the first day of the Id al-Adha festival, despite our comments on the choice of this visit contained in our statement of 26 June 1991. I met with the Team on the evening of Saturday, 22 June 1991, and received from them a letter, some comments, and notifications for the inspection of two sites, namely notifications No. 5 and No. 6. The sites in question had been inspected during the Team's previous visit.

At 7 a.m. on 23 June 1991, the Inspection Team delivered to our representative notification No. 7, for the inspection of a military site at Abu Ghraib. This is a purely military site within an extensive military area belonging to the Ministry of Defence, other authorities outside the Iraqi Atomic Energy Agency and the Ministry of Industry. At 11 a.m., the Team delivered to our representative a map on which two locations were designated. Furthermore, the Team proceeded to the Camp on the afternoon of the same day without seeking to obtain clearance from the authorities concerned.

You are aware of how difficult it must be to obtain such clearances on an official and religious holiday, in the situation created by the destruction of communications systems in Iraq and because of the difficulty of coordinating with the military authorities in light of the fact that this request was the first relating to a military site that the Inspection Team was seeking to visit for purposes of inspection. Despite these difficulties, the Team arrived at the location, its members were received by a commander of one of the camps there, and he accompanied them on a visit within his own camp and in the vicinity of the sites indicated on the map. The Team, however, asked to visit other places that were not under the responsibility of that commander

and that were not indicated on the original map, annexed hereto, thereby making it impossible to comply fully with the request of the Inspection Team on that day.

Despite the evident character of these reasons, we have noted that the Team has given a different interpretation of what actually happened and has conveyed a picture which expresses prejudicial and negative judgements on the extent to which the Iraqi side cooperated with the Team.

The Minister of State for Foreign Affairs met with the Team on the evening of the same day and explained to them in detail the true nature of the difficulties attendant on obtaining the clearances to carry out the visit as well as the new difficulties that arose in view of the fact that they had asked to visit other places within the area where different military authorities were responsible and which would also have to be approached with a view to obtaining clearance for the conduct of the inspection. He emphasized to them that clearance had been obtained for a visit to the site indicated by the Team on the map, namely the southern part of the area. On 24 June 1991, the team expressed the desire to visit other locations under the terms of the above-mentioned notification No. 5.

On 25 June 1991, the Team proceeded to Abu Ghraib Camp and, on arrival at the entrance to the area, asked to visit the northern part, while clearance had been obtained for inspection only of the southern part. This required an application for new clearances, and we obtained them on the evening of the same day.

On the morning of 26 June 1991, the Team carried out an inspection of all parts of the Camp as it desired.

2. It is perfectly clear from paragraph 1 above that the Iraqi side has endeavoured earnestly and sincerely to facilitate the task of the Team and to obtain the proper clearances necessary for visits to such sites. It has done so out of its constant desire to fulfil its obligations under the terms of Security Council resolution 687 (1991), and it remains committed to serious and positive cooperation with the Special Commission and its representatives.

3. Iraq has acceded to all requests for inspection that it has received in due and proper form, and it intends to continue to meet all the requirements of the Inspection Team in future.

4. We affirm Iraq's continuing desire to avoid the occurrence of any incident that might cast a shadow on its endeavour to fulfil its obligations and cooperate with the United Nations and its Secretary-General. We are nevertheless of the view that the avoidance of such cases undoubtedly requires a corresponding desire, at least to a minimum extent, on the part of the Inspection Team.

On this same occasion, I should like to inform you that our attention has been aroused by the preponderance of elements of United States nationality in

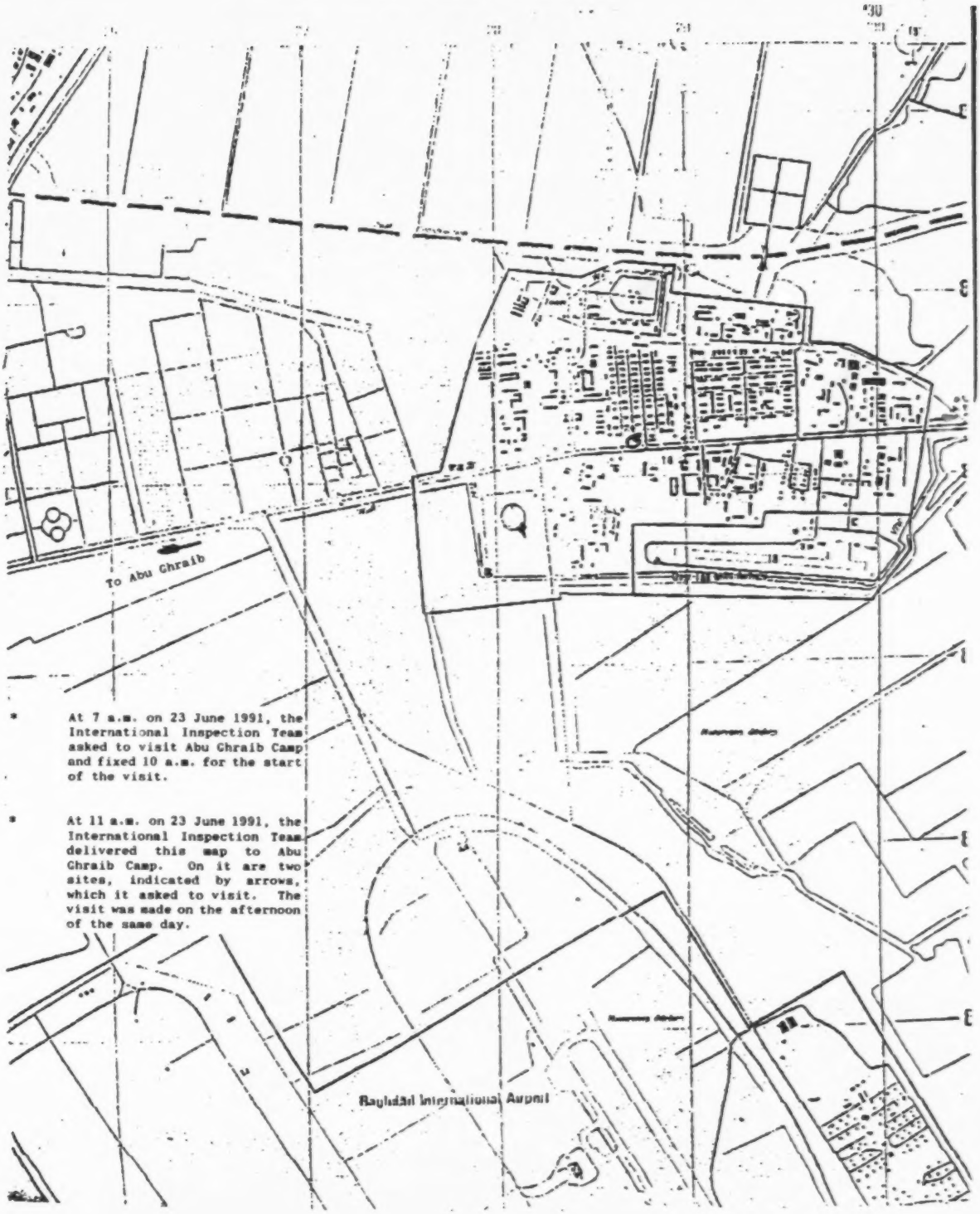
the composition of the Nuclear Inspection Team for the present visit. There are six United States inspectors out of a total of 10, while their proportion on the previous visit was approximately 25 per cent of the inspectors concerned.

We should also like to point out that Security Council resolution 687 (1991) entrusted the International Atomic Energy Agency with the task of nuclear inspection in Iraq. It might be supposed that the Agency would make use of its own inspectors of various nationalities in order to carry out the required inspection in Iraq, while the inspectors that have actually been used by the Agency are for the most part not its own staff members. We fervently hope that this situation will be remedied in future.

5. In conclusion, we are happy to inform you that the President of the Republic of Iraq, President Saddam Hussein, was apprised today, Friday, 28 June 1991, of the reports emanating from the Security Council on the matter of cooperation by the Iraqi authorities with the representatives of the United Nations under the terms of the relevant Security Council resolutions. His Excellency ordered all of the agencies concerned to cooperate fully with representatives of the United Nations and to facilitate their mission, in accordance with the undertakings given by Iraq, and to solve all bureaucratic problems that may arise in the course of such cooperation. The President of the Republic authorized the Minister for Foreign Affairs of Iraq immediately to order all bodies and authorities to which the representatives of the United Nations might express a wish for scrutiny or inspection to grant the necessary permission without hesitation.

(Signed) Ahmed HUSSEIN
Minister for Foreign Affairs
of the Republic of Iraq

MAP OF THE ABU GHRAIB MILITARY AREA



* At 7 a.m. on 23 June 1991, the International Inspection Team asked to visit Abu Ghraib Camp and fixed 10 a.m. for the start of the visit.

* At 11 a.m. on 23 June 1991, the International Inspection Team delivered this map to Abu Ghraib Camp. On it are two sites, indicated by arrows, which it asked to visit. The visit was made on the afternoon of the same day.